

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Michael Rufus,)
)
Plaintiff,) C/A No. 6:06-2969-GRA-WMC
)
)
v.) **ORDER**
) (Written Opinion)
Bureau of Prisons; Ron Potts; Eugene)
Rockwell; Edith Weir; Donald F.)
Bauknecht; and Unknowns;)
)
Defendants.)
)

This matter is before the Court for a review of the magistrate's Report and Recommendation made in accordance with 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2)(e), D.S.C. Plaintiff filed suit on October 17, 2006, pursuant to 42 U.S.C. §1983. On February 20, 2007, Defendants filed a motion for summary judgment. Plaintiff was advised of the summary judgment procedure and the consequences of failing to respond on February 21, 2007. Plaintiff failed to respond after being given an extension of time. The magistrate recommended granting Defendants' Motion for Summary Judgment.

Plaintiff brings this claim *pro se*. This Court is required to construe *pro se* pleadings liberally. Such pleadings are held to a less stringent standard than those drafted by attorneys. *Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir.), *cert. denied*, 439 U.S. 970 (1978). This Court is charged with liberally construing a pleading filed by a *pro se* litigant to allow for the development of a

potentially meritorious claim. *Cruz v. Beto*, 405 U.S. 319 (1972).

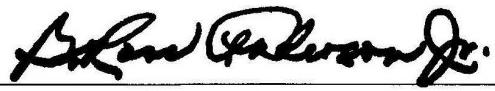
The magistrate makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Matthews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the Court may accept, reject or modify, in whole or in part, the recommendation of the magistrate, or recommit the matter to him with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. *Camby v. Davis*, 718 F.2d 198 (4th. Cir. 1983). Plaintiff has not filed objections to the Report and Recommendation.

After a review of the magistrate's Report and Recommendation, this Court finds that the report is based upon the proper law. Accordingly, the Report and Recommendation is accepted and adopted in its entirety.

IT IS THEREFORE ORDERED that Defendants' Motion for Summary Judgment be GRANTED and Plaintiff's claims be DISMISSED with prejudice.

IT IS FURTHER ORDERED that Plaintiff's pending Motion to Correct Jurisdiction and Motion for Relief from Financial Obligations be DENIED as moot.

IT IS SO ORDERED.



G. ROSS ANDERSON, JR.
UNITED STATES DISTRICT JUDGE

June 25, 2007

Anderson, South Carolina

NOTICE OF RIGHT TO APPEAL

Plaintiff has the right to appeal this Order within sixty (60) days from the date of the entry of this Order, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure. Failure to meet this deadline, as modified by Rule 4 of the Federal Rules of Appellate Procedure, will waive the right to appeal.